

REPLACEMENT PAGES OF SPECIFICATION AND CLAIMS



estimates, evaluations and valuations. The prospective insured can be offered the option of having these informational bases directly submitted to the potential insured by their originators without substantial modification of content. These legal and financial opinions could be used by a prospective seller or purchaser as part of its "due diligence" analysis which is conducted in anticipation of selling or purchasing the intellectual property assets which are the subject of the insurance proposal. As these opinions would have been fully paid for by the proposed insured party, they can be kept by the proposed insured party even if the party decides to decline insurance coverage.

The method of the invention preferably is carried out using one or more computer programs to generate insurance proposal forms. The computer program or programs preferably include a data processing system which receives numerical input and calculates a proposed insurance premium based upon the numerical input.

As indicated above, one aspect of valuing an intellectual property asset is to assign it a monetary or financial value. Assigning a monetary value to a patent can be difficult.

C1 One preferred method of assigning such a value is to retain a firm which specializes in the valuation of intellectual property, such as Trademark and Licensing Associates, Inc. For example, it may be useful to apply the VALMATRIX system of valuation, which was developed by Trademark and Licensing Associates, Inc. This system is proprietary to the owner, and can be used by the owner to provide a party with a valuation of intellectual property upon payment of appropriate compensation. Another method for assigning a value to a patent would be to use the method described in U.S. Patent No. 5608620, assuming that the method described in claim 6 of the '620 patent can be modified for that purpose. Further methods are described below in the Examples. Furthermore, a recognizably arbitrary valuation could be placed on the intellectual property for any expressed business purpose or reason recognized by the insurance company.

From a practical standpoint, the method of the invention can be described by the following three-step process:

Step 1. Ascertaining the facts about the issues, including